REMARKS

Applicant respectfully requests reconsideration and allowance of the subject application. Claims 1-40 are pending in this application.

In the December 6 Office Action, the Examiner requested that any response be accompanied by a 3½ inch IBM format floppy disk containing a duplicate copy of the response. In accordance with this request, such a floppy disk accompanies this response.

Claims 1-39 stand rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent No. 6,003,061 to Jones et al. (hereinafter "Jones") in view of U.S. Patent No. 5,881,284 to Kubo (hereinafter "Kubo"). Claim 40 stands rejected under 35 U.S.C. §103(a) as being unpatentable over Jones.

The subject application is a continued prosecution application (CPA) filed September 14, 2000. Pursuant to 35 U.S.C. §103(c), which was amended effective Nov. 29, 1999 (Public Law 106-113),

Subject matter developed by another person, which qualifies as prior art only under one or more of sub-sections (e), (f), and (g) of section 102 of this title, shall not preclude patentability under this section where the subject matter and the claimed invention were, at the time the invention was made, owned by the same person or subject to an obligation of assignment to the same person.

Both the subject application and the Jones reference were owned by, or subject to an obligation of assignment to, the same person at the time the invention of the subject application was made. Given that the filing date of the subject application is after November 29, 1999, Applicant respectfully submits that the Jones patent, is not a useable prior art reference under 35 U.S.C. §103(a) for the subject application.

Applicant respectfully submits that Kubo alone does not disclose or suggest the subject matter of claims 1-39. Thus, given that Jones is not a useable prior art reference under 35 U.S.C. §103(a) for the subject application, Applicant respectfully submits that claims 1-40 are allowable over the cited references.

Claims 1-40 are in condition for allowance. Applicant respectfully requests reconsideration and issuance of the subject application. Should any matter in this case remain unresolved, the undersigned attorney respectfully requests a telephone conference with the Examiner to resolve any such outstanding matter.

Date: March 5, 2001

Respectfully Submitted,

By:

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